

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

PALOMAR GRADING AND PAVING,  
INC., a California Corporation, and  
THE UNITED STATES OF AMERICA  
for the use and benefit of PALOMAR  
GRADING AND PAVING, INC.

Plaintiff,

v.

WESTERN INSURANCE COMPANY  
AND CORNERSTONE BUILDING  
GROUP,

Defendants.

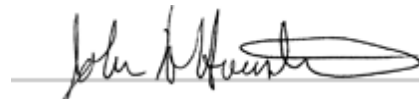
AND RELATED CROSS-CLAIM AND  
THIRD PARTY COMPLAINT

Civil No.08cv521 JAH (WMc)

**AMENDED ORDER VACATING  
HEARING**

After careful review of the parties' submissions, the Court deems Defendant Cornerstone Building Group's motion to compel mediation and stay action (Doc. No. 10) suitable without oral argument. See CivLR 7.1(d.1). Accordingly, IT IS HEREBY ORDERED Defendant's motion is taken under submission without oral argument and the hearing set for June 30, 2008 is **VACATED**. The Court will issue an order in due course.

DATED: June 24, 2008

  
JOHN A. HOUSTON  
United States District Judge